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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/020,483 | 12/12/2001 | Edward O. Clapper | 884.611US1 | 6788 |
| 7590 | 01/12/2006 | | EXAMINER | |
| Schwegman, Lundberg, Woessner & Kluth, P.A. P.O. Box 2938 Minneapolis, MN 55402 | | | TRUONG, CAM Y T | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2162 | |

DATE MAILED: 01/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/020,483 | CLAPPER, EDWARD O. | |
| | Examiner | Art Unit | |
| | Cam Y T. Truong | 2162 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 05 August 2005.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 5-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 5-30 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

1. Claims 5-30 are pending in this Office Action.

Response to Arguments

2. Applicant's arguments with respect to claims 5-30 have been considered but are moot in view of the new ground(s) of rejection.

Applicant has argued that Funaki does not teach the claimed limitation “comparing the ordered sequence of syllable counts with the contents of a database of analyzed documents, each document comprising a plurality of words”.

Funaki teaches the input display screens display an input menu 51 for inputting the number of syllables or sounds and an input menu 52 for inputting a part of speech. As the search condition including the number of syllables and the part of speech is entered by using the search condition designation unit F, the entered search condition is sent to the word search unit I. This information indicates that the system receives user's input that includes an ordered sequence of number of syllables (col. 8, lines 5-30). When the search start instruction unit G instructs the word search unit I to start a search, the word search unit I sequentially read words registered in the dictionary J, judges whether the read word matches the search condition, and picks up the word matching the search condition. In this pickup process, the number of syllables or sounds of a read word is calculated based upon syllable number count rules to be described later, and it is judged whether the counted number of syllables satisfies the search condition and whether the part of speech of the read word satisfies the search

condition. For example, if the search condition is "two-syllable word and noun" as shown in FIGS. 10A and 10B, it is judged whether the read word is a two-syllable word and whether the part of speech field of the read word indicates a noun (col. 8, lines 30-40). Funaki teaches a dictionary storing at least words and parts of speech corresponding to the words; a search condition designator for designating at least a part of speech as a search condition; a word search unit for searching a word matching the search condition designated by the search condition designator from the dictionary; a search result display unit for displaying a searched word (col. 1, lines 65-67; col. 2, lines 1-6). The above information shows that the sequence of syllable counts is compared with contents of dictionary of analyzed words (not documents). The dictionary is represented as a database.

Applicant argued that Funaki does not explicitly teach the claimed limitation "retrieving from the database a document uniquely represented by the search string". Berke teaches a document contains a plurality of words and uniquely identifying the single web site corresponding to said search criteria by examining said database for the unique combination stored in the database. Web site is represented as a document (col. 9, lines 57-60).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 5-8, 10, 11, 13-15, 17, 20-22, 24 and 27-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Funaki (USP 6689946) in view of Berke (USP 6629094).

As to claim 5 and 27, Funaki teaches the claimed limitations:

“a computing device receiving a search string including an ordered sequence of syllable counts” as the input display screens display an input menu 51 for inputting the number of syllables or sounds and an input menu 52 for inputting a part of speech. As the search condition including the number of syllables and the part of speech is entered by using the search condition designation unit F, the entered search condition is sent to the word search unit I. This information indicates that the system receives user's input that includes an ordered sequence of number of syllables (col. 8, lines 5-30);

‘ “comparing the ordered sequence of syllable counts with the contents of a database of analyzed documents” as the input display screens display an input menu 51 for inputting the number of syllables or sounds and an input menu 52 for inputting a part of speech. As the search condition including the number of syllables and the part of speech is entered by using the search condition designation unit F, the entered search condition is sent to the word search unit I. This information indicates that the

system receives user's input that includes an ordered sequence of number of syllables (col. 8, lines 5-30). When the search start instruction unit G instructs the word search unit I to start a search, the word search unit I sequentially read words registered in the dictionary J, judges whether the read word matches the search condition, and picks up the word matching the search condition. In this pickup process, the number of syllables or sounds of a read word is calculated based upon syllable number count rules to be described later, and it is judged whether the counted number of syllables satisfies the search condition and whether the part of speech of the read word satisfies the search condition. For example, if the search condition is "two-syllable word and noun" as shown in FIGS. 10A and 10B, it is judged whether the read word is a two-syllable word and whether the part of speech field of the read word indicates a noun (col. 8, lines 30-40). Funaki teaches a dictionary storing at least words and parts of speech corresponding to the words; a search condition designator for designating at least a part of speech as a search condition; a word search unit for searching a word matching the search condition designated by the search condition designator from the dictionary; a search result display unit for displaying a searched word (col. 1, lines 65-67; col. 2, lines 1-6). The above information shows that the sequence of syllable counts is compared with contents of dictionary of analyzed words (not documents). The dictionary is represented as a database.

Funaki does not explicitly teach the claimed limitation "documents; each documents comprising a plurality of words; retrieving from the database a document uniquely represented by the search string". Berke teaches a document contains a

plurality of words and uniquely identifying the single web site corresponding to said search criteria by examining said database for the unique combination stored in the database. Web site is represented as a document (col. 9, lines 57-60).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to apply Berke's teaching of uniquely identifying the single web site corresponding to said search criteria by examining said database for the unique combination stored in the database into Funaki's system in order to save time for users reading or search documents and eliminate displaying irrelevant document to a user.

As to claims 6, 14 and 21, Funaki teaches the claimed limitation "in receiving, the search string includes a word in place of the word's syllable count" as (fig. 12).

As to claim 7, Funaki teaches the claimed limitation "the search string includes two words in place of each respective word's syllable count" as (col. 8, lines 40-45).

As to claims 8, 15 and 22, Funaki teaches the claimed limitation "the database comprises a plurality of records, each comprising an ordered listing of words and an ordered syllable count listing" as (fig. 9).

As to claims 10 and 17, Funaki teaches the claimed limitation "in using, the input ordered sequence of syllable counts is matched with at least one corresponding ordered sequence of syllable counts within the database" as (col. 8, lines 5-50).

As to claims 11 and 29, Funaki does not explicitly teach the claimed limitation "displaying the document via the display". Berke teaches displaying the web site that is represented as a document. This information indicates that the system has included a display for displaying the web site to a user (col. 6, lines 1-5).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to apply Berke's teaching of displaying the web site to Funaki's system in order to allow a user can view and read information on a web site or a document.

As to claims 13 and 20, Funaki teaches the claimed limitations:

"receiving via the user interface a search string including an ordered sequence of syllable counts" as the input display screens display an input menu 51 for inputting the number of syllables or sounds and an input menu 52 for inputting a part of speech. As the search condition including the number of syllables and the part of speech is entered by using the search condition designation unit F, the entered search condition is sent to the word search unit I. This information indicates that the system receives user's input that includes an ordered sequence of number of syllables (col. 8, lines 5-30);

"comparing the ordered sequence of syllable counts with the contents of a database of analyzed document" as the input display screens display an input menu 51 for inputting the number of syllables or sounds and an input menu 52 for inputting a part of speech. As the search condition including the number of syllables and the part of

speech is entered by using the search condition designation unit F, the entered search condition is sent to the word search unit I. This information indicates that the system receives user's input that includes an ordered sequence of number of syllables (col. 8, lines 5-30). When the search start instruction unit G instructs the word search unit I to start a search, the word search unit I sequentially read words registered in the dictionary J, judges whether the read word matches the search condition, and picks up the word matching the search condition. In this pickup process, the number of syllables or sounds of a read word is calculated based upon syllable number count rules to be described later, and it is judged whether the counted number of syllables satisfies the search condition and whether the part of speech of the read word satisfies the search condition. For example, if the search condition is "two-syllable word and noun" as shown in FIGS. 10A and 10B, it is judged whether the read word is a two-syllable word and whether the part of speech field of the read word indicates a noun (col. 8, lines 30-40). Funaki teaches a dictionary storing at least words and parts of speech corresponding to the words; a search condition designator for designating at least a part of speech as a search condition; a word search unit for searching a word matching the search condition designated by the search condition designator from the dictionary; a search result display unit for displaying a searched word (col. 1, lines 65-67; col. 2, lines 1-6). The above information shows that the sequence of syllable counts is compared with contents of dictionary of analyzed words (not documents). The dictionary is represented as a database.

Funaki does not explicitly teach the claimed limitation "documents; each documents comprising a plurality of words; retrieving from the database a document uniquely represented by the search string". Berke teaches a document contains a plurality of words and uniquely identifying the single web site corresponding to said search criteria by examining said database for the unique combination stored in the database. Web site is represented as a document (col. 9, lines 57-60).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Berke's teaching of uniquely identifying the single web site corresponding to said search criteria by examining said database for the unique combination stored in the database into Funaki's system in order to save time for users reading or search documents and eliminate displaying irrelevance document to a user.

As to claims 24 and 28, Funaki teaches the claimed limitation "in using, the input ordered sequence of syllable counts is matched with at least one corresponding ordered sequence of syllable counts within the database" as (col. 8, lines 5-50).

4. Claims 9, 16 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Funaki (USP 6689946) in view of Berke (USP 6629094) and further in view of Erickson (USP 5765152).

As to claims 9, 16 and 23, Funaki and Berke discloses the claimed limitation subject matter in claim 8, 15 and 22, except the claimed limitation " each database record comprises a work from the group comprising a literary work, a song lyric, a

dramatic work, a motion picture script, and an audiovisual script". Erickson teaches electronic media stored within the memory means, the media being a digital representation of at least one of (i) literary work, (ii) musical work, (iii) dramatic work, (iv) choreographic work, (v) pictorial work, (vi) audiovisual work, (vii) a sound recording, and (viii) architectural work (col. 28, lines 13-17).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to apply Erickson's teaching of electronic media stored within the memory means, the media being a digital representation of at least one of (i) literary work, (ii) musical work, (iii) dramatic work, (iv) choreographic work, (v) pictorial work, (vi) audiovisual work, (vii) a sound recording, and (viii) architectural work to Funaki's system and Berke's system in order to allow a user to search/retrieve a media record.

5. Claims 12, 18, 19, 25, 26 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Funaki (USP 6689946) in view of Berke (USP 6629094) and further in view of Wu (USP 5991756).

As to claims 12, 19 and 26, Funaki and Berke disclose the claimed limitation subject matter in claim 11, 18 and 25, except the claimed limitation Funaki does not explicitly teach the claimed limitation "a plurality of documents are retrieved, and wherein the method further comprises: displaying the plurality of documents via the display". Wu teaches displaying hypertext documents that indicates the system has included a display for displaying hypertext documents to a user (col. 1, lines 55-57).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Wu's teaching of displaying hypertext documents to Funaki's system and Berke's system in order to allow a user can view and read information on a web site or a document.

As to claims 18 and 25, Funaki and Berke disclose the claimed limitation subject matter in claim 13 and 20, except the claimed limitation "displaying the document via the user interface. Wu teaches displaying hypertext documents that indicates the system has included a display for displaying hypertext documents to a user (col. 1, lines 55-57).

It would have been obvious to a person of an ordinary skill in the art at the time the invention was made to apply Wu's teaching of displaying hypertext documents to Funaki's system and Berke's system in order to allow a user can view and read information on a web site or a document.

As to claim 30, Funaki and Berke disclose the claimed limitation subject matter in claim 13, 20, except the claimed limitation "a display; wherein, in using, a plurality of documents are retrieved; and wherein the instructions, when accessed, result in the machine performing: generating a list of best-matched hits; and displaying the list of best-matched hits via the display". Wu teaches displaying hypertext documents that indicates the system has include a display for displaying hypertext documents to a user

after searching terms in each candidates document (col. 1, lines 55-57; col. 2, lines 35-45).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to apply Wu's teaching of displaying hypertext documents after searching terms in each candidates document to Funaki's system and Berke's system in order to allow a user can view and read information on a web site or a document.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure
Oon (US 6408266).

Contact Information

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cam Y T Truong whose telephone number is. (571) 272-4042. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Cam-Y Truong
Patent Examiner
Art Unit 2162
1/06/06